

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: ETHICON PHYSIOMESH :
FLEXIBLE COMPOSITE HERNIA MESH : MDL DOCKET NO. 2782
PRODUCTS LIABILITY LITIGATION, : CIVIL ACTION NO.
: 1:17-MD-02782-RWS
This document relates to: :
: Civil Action No: _____
JAMES WILLIAMS, PLAINTIFF :
:
:

SHORT FORM COMPLAINT

Come now the Plaintiff(s) named below, and for their Complaint against the Defendants named below, incorporate the Master Complaint in MDL No. 2782 by reference. Plaintiff(s) further show the court as follows:

1. Plaintiff Implanted with Physiomesb

James Williams

2. Plaintiff's Spouse (if applicable)

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator)

4. State of Residence and Citizenship of each Plaintiff (including any Plaintiff in a representative capacity) at time of filing of Initial Complaint

Louisiana

5. State of Residence and Citizenship at the Time of Implantation

Texas

6. District Court and Division in which personal jurisdiction and venue would be proper absent direct filing

United States District Court for the Western District of Louisiana

7. Defendants (Check Defendants against whom Complaint is made):

- ☒ A. Ethicon, Inc.
- ☒ B. Johnson & Johnson

8. Basis of Jurisdiction:

- ☒ Diversity of Citizenship (28 U.S.C. §1332(a))
- ☐ Other: _____

- A. Paragraphs in Master Complaint upon which venue and jurisdiction lie:

Paragraphs 11-13

- B. Other allegations of jurisdiction and venue:

- 9.

Date(s) Plaintiff was Implanted with Physiomesh (list date of each implant surgery, where applicable on separate lines)	Hospital(s) where Plaintiff was implanted with Physiomesh (include City and State of Hospital)	Implanting Surgeon(s)
April 23, 2013	Baptist Hospitals of Southeast Texas Orange; Orange , Texas	Maria Palafox, MD

10. Counts in Master Complaint Brought by Plaintiff(s)

- ☒ Count I – Strict Product Liability – Defective Design
- ☒ Count II – Strict Product Liability – Failure to Warn
- ☒ Count III – Strict Product Liability – Manufacturing Defect
- ☒ Count IV – Negligence
- ☒ Count V – Consumer Protection Laws (Please identify applicable State Consumer Protection laws(s) and state any additional facts and legal basis for application of State Consumer Protection law(s) in this case)

Louisiana Unfair Trade Practices and Consumer Protection Law

- ☒ Count VI – Gross Negligence
- ☐ Count VII – Loss of Consortium
- ☒ Count VIII – Punitive Damages
- ☒ Count IX – Discovery Rule, Equitable Tolling/Estoppel (Please state any additional facts and legal basis for Discovery Rule and Tolling below)

Plaintiff was unaware of any connection between the injury sustained and the Ethicon/Johnson & Johnson mesh implanted until his revision surgery on July 29, 2022.

- ☐ Other Count(s) (Please state any additional facts and legal basis for other claims not included in the Master Complaint below):

- ☒ Jury Trial is Demanded as to All Counts
- ☐ Jury Trial is NOT Demanded as to Any Count

Dated: July 21, 2023

HART McLAUGHLIN & ELDRIDGE, LLC

/s/ Robert J. McLaughlin
Attorney(s) for Plaintiff

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